

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 05-12272

D. C. Docket Nos.
04-21167-CV-JEM
02-11721-BKC-AJ

<p>FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT April 4, 2006 THOMAS K. KAHN CLERK</p>
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In Re: STRATUS PHARMACEUTICALS, INC.

Debtor.

04-CV-21167

STRATUS PHARMACEUTICALS, INC.,

Plaintiff-Appellant,

versus

STATE FARM FLORIDA INSURANCE COMPANY,

Defendant-Appellee.

04-CV-21168

STRATUS PHARMACEUTICALS, INC.,

Plaintiff-Appellant,

versus

UNITED NATIONAL INSURANCE COMPANY,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Florida

(April 4, 2006)

Before TJOFLAT and HULL, Circuit Judges, and RESTANI,* Judge.

PER CURIAM:

After review and oral argument, we affirm the grant of summary judgment in favor of defendants State Farm Florida Insurance Company and United National Insurance Company for the reasons set forth in the district court's March 18, 2005, order.

*Honorable Jane A. Restani, Chief Judge, United States Court of International Trade, sitting by designation.